

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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LB 882

you should be this morning, and that you should oppose the committee amendments. Now, why would I ask you not to be kind, benevolent, and generous and allow the two items that are in the committee amendment? The people came to the committee, said there was a mistake made, we didn't apply for...we didn't know that we had a refund or that we were entitled to a refund and we just didn't apply for it in time. Doesn't that sound okay? Wouldn't we like to be treated in that fashion? Yes, we probably would. But how's it going to work out in the grand scheme of things? This...these two claims I would suspect are only the tip of the iceberg for people who can come to us and say, I forgot, I didn't know, I was misled, and it isn't just \$30,000, or about \$31,000. I don't have any idea how much money it is. But, in fact, people who are, as these individuals are in particular, people who are in business are supposed to know their business, and to suggest that for some reason that they don't have to know their business and to look after their business is wrong. We do have a responsibility to know our business, to do our business, and to do our business within the confines of the law. We cannot or should not waive a magic wand, in a matter of speaking, and abrogate a clear law that applies to everyone. Now why would we have a statute of limitations at all, because that's really what's at issue here? Why would we have a statute of limitations at all? The most fundamental reason for having a statute of limitations is that you have to have some cutoff date at which certainty comes into the law, after which the issues are considered resolved because everybody forgot about them for too long. Now, if you want to say that we should have no statute of limitations applicable to tax refunds then one of you should introduce a bill to do that. It will be considered by the committee and then, if it's approved by the committee, it will be considered by the rest of you. But it is not the way to remove the...the way to remove the statute of limitations isn't to approve claims on a case-by-case basis and say, oops, the statute of limitations didn't matter in that instance. Because if you want to make the statute of limitations meaningless do that, but that isn't good process, that isn't what we need to do. If you want...if you really want to repeal the statute of limitations for whatever reasons you think are appropriate bring a bill to do that, but don't do it in this nibbling fashion that really isn't fair to anybody, because there are other people who looked at the law,